

HOUSE BILL NO. 459

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTIETH LEGISLATURE - SECOND SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Introduced: 2/20/98

Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to medical assistance for certain disabled persons; relating to
2 the priorities established for the medical assistance program."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 47.07.020(b) is amended by adding a new paragraph to read:

5 (12) disabled persons, as described in 42 U.S.C.
6 1396a(a)(10)(A)(ii)(XIII), who are in families whose income is less than 250 percent
7 of the official poverty line applicable to a family of that size according to the federal
8 Office of Management and Budget, and who, but for earnings in excess of the limit
9 established under 42 U.S.C. 1396d(q)(2)(B), would be considered to be individuals
10 with respect to whom a supplemental security income is being paid under 42 U.S.C.
11 1381 - 1383c; a person eligible for assistance under this paragraph who is not eligible
12 under another provision of this section shall pay a premium or other cost-sharing
13 charges according to a sliding fee scale that is based on income as established by the
14 department in regulations.

1 * **Sec. 2.** AS 47.07.035 is amended to read:

2 **Sec. 47.07.035. Priority of medical assistance.** If the department finds that
3 the cost of medical assistance for all persons eligible under this chapter will exceed
4 the amount allocated in the state budget for that assistance for the fiscal year, the
5 department shall eliminate coverage for optional medical services and optionally
6 eligible groups of individuals in the following order:

- 7 (1) midwife services;
- 8 (2) clinical social workers' services;
- 9 (3) psychologists' services;
- 10 (4) chiropractic services;
- 11 (5) advanced nurse practitioner services;
- 12 (6) adult dental services;
- 13 (7) emergency hospital services;
- 14 (8) treatment of speech, hearing, and language disorders;
- 15 (9) optometrists' services and eyeglasses;
- 16 (10) occupational therapy;
- 17 (11) mammography screening;
- 18 (12) prosthetic devices;
- 19 (13) medical supplies and equipment;
- 20 (14) targeted case management services;
- 21 (15) rehabilitative services for substance abusers and emotionally
22 disturbed or chronically mentally ill adults;
- 23 (16) clinic services;
- 24 (17) physical therapy;
- 25 (18) personal care services in a recipient's home;
- 26 (19) prescribed drugs;
- 27 (20) hospice care;
- 28 (21) long-term care noninstitutional services;
- 29 (22) inpatient psychiatric facility services;
- 30 (23) intermediate care facility services for the mentally retarded;
- 31 (24) intermediate care facility services;

1 (25) individuals described in AS 47.07.020(b)(11);

2 (26) individuals under age 21 who are not eligible for benefits under
3 the federal program designated as the successor to the aid to families with dependent
4 children program because they are not deprived of one or more of their natural or
5 adoptive parents;

6 (27) skilled nursing facility services for persons under age 21;

7 (28) aged, blind, and disabled individuals who, because they do not
8 meet the income requirements, do not receive supplemental security income under Title
9 XVI of the Social Security Act, but who are eligible, or would be eligible if they were
10 not in a skilled nursing facility or intermediate care facility, to receive an optional state
11 supplementary payment;

12 (29) individuals in a hospital, skilled nursing facility, or intermediate
13 care facility whose income while in the facility does not exceed 300 percent of the
14 supplemental security income benefit rate under Title XVI of the Social Security Act,
15 but who, because of income, are not eligible for the optional state supplementary
16 payment;

17 (30) individuals under age 21 under supervision of the department for
18 whom maintenance is being paid in whole or in part from public money and who are
19 in foster homes or private child-care institutions;

20 (31) individuals under age 21 who the department has determined
21 cannot be placed for adoption without medical assistance because of a special need for
22 medical or rehabilitative care and who the department has determined are hard-to-place
23 children eligible for subsidy under AS 25.23.190 - 25.23.220;

24 **(32) individuals described in AS 47.07.020(b)(12).**

25 * **Sec. 3.** TRANSITIONAL PROVISION. Notwithstanding AS 47.07.020(b)(12), added
26 by sec. 1 of this Act, an individual described in that provision is eligible for medical
27 assistance under AS 47.07 without the payment of a premium or other cost-sharing charges
28 until the effective date of regulations adopted by the Department of Health and Social Services
29 that set the premium or other cost-sharing charges.

30 * **Sec. 4.** REGULATIONS. The Department of Health and Social Services shall adopt
31 regulations establishing the sliding fee scale for premiums or other cost-sharing charges

1 described in this Act by July 1, 1999.